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Express Mail No. EV 346 793 145 US

PTO/SB/30 (10-01)

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See the American Inventors Protection Act of 1999 (AIPA).

Application Number	10/701,697
Filing Date	November 4, 2003
First Named Inventor	Jeffrey GRELLA et al.
Group Art Unit	3728
Examiner Name	Marie D. Patterson
Attorney Docket Number	87728-3700

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. Submission required under 37 C.F.R. § 1.114**

a.  Previously submitted

- i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on April 7, 2005  
(Any unentered amendment(s) referred to above will be entered).
- ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii.  Other \_\_\_\_\_

b.  Enclosed

- i.  Amendment/Reply
- ii.  Affidavit(s)/Declaration(s)
- iii.  Extension of Time
- iv.  Other \_\_\_\_\_

**2. Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. **50-1814**

- i.  RCE fee required under 37 C.F.R. § 1.17(e)
- ii.  Extension of time fee if required and not otherwise submitted (37 C.F.R. §§ 1.136 and 1.17)
- iii.  Other \_\_\_\_\_

b.  Check in the amount of \$ \_\_\_\_\_ enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name: Stephan J. Filipek, Reg. No. 33,384

Signature:

*Stephan J. Filipek*

Date:

*10 May 2005*

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express mail (no. EV 346 793 145 US) in an envelope addressed to: Commissioner for Patents, Box RCE, P.O. Box 1450, Alexandria, VA 22313 - 1450 on May 10, 2005.

Name: Mary Jo Lomele

Signature:

*Mary Jo Lomele*

Date: May 10, 2005